

Before the Board of Zoning Adjustment, D. C.

PUBLIC HEARING -- February 9, 1972

Appeal No. 11058 Vincent M. Binion, appellant

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee

On motion duly made, seconded and carried unanimously, the following Order of the Board was entered at the meeting of June 13, 1972.

ORDERED:

That the appeal for a variance from the use provisions of the R-3 District to permit a three-unit apartment at 1217 33rd Street, N. W., lot 810, Square 1206 be DENIED.

FINDINGS OF FACT:

1. The subject property is located in an R-3 District.
2. The property is improved with a two-story brick structure.
3. The appellant requests a variance from the use provisions of the R-3 District to permit a three-unit apartment.
4. The appellant stated that the previous owner had converted the present property to be used as a three-unit apartment some time during 1950. The tenants of the subject property submitted a statement requesting that the property be used as a three-unit apartment building alleging that the subject property has been used as such for more than twenty years.
5. The appellant stated that no Certificate of Occupancy for a three-unit apartment has ever been granted and that the existing apartments were rented without permits.
6. There was no opposition registered at the public hearing to the granting of this appeal.

OPINION:

We are of the opinion that appellant has not proved a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will not result in peculiar

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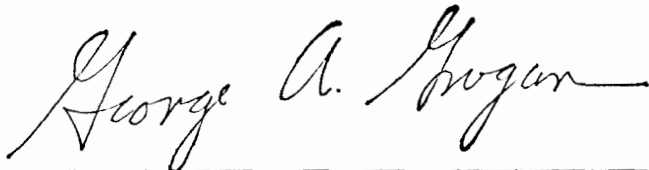
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and exceptional practical difficulties and undue hardship upon the owner.

Further, we hold that the requested relief can not be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: 

GEORGE A. GROGAN
Secretary of the Board

7-12-72